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**BEFORE THE DIVISION OF PROFESSIONAL LICENSING
DEPARTMENT OF COMMERCE
STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF
DANA EMMONS
UTAH LICENSE #10143380-3902
TO PRACTICE AS A
MARRIAGE AND FAMILY THERAPIST
IN THE STATE OF UTAH

STIPULATION AND ORDER

CASE NO. DOPL 2024- 226

DANA EMMONS (“Respondent”) and the Division of Professional Licensing of the Department of Commerce of the State of Utah (“Division”) stipulate and agree as follows:

1. Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action.
2. Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily.
3. Respondent understands that Respondent has the right to be represented by counsel in this matter, and Respondent’s signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent’s right to counsel in this matter.
4. Respondent understands that Respondent is entitled to a hearing before Utah’s Marriage and Family Therapist Licensing Board (“Board”), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent’s own behalf, call witnesses, and

confront adverse witnesses. Respondent understands that by signing this document, Respondent waives the right to a hearing, the right to present evidence on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing. Respondent understands that by signing this document, Respondent knowingly and intelligently waives the right to all administrative and judicial review as set forth in Utah Code Ann. §§ 63G-4-301 through 63G-4-405, and Utah Administrative Code R151-4-901 through R151-4-907. Respondent and the Division hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann. § 63G-4-102(4).

5. Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter.

6. Respondent acknowledges that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document. The Division may release this Stipulation and Order, as well as other information about this disciplinary action against Respondent's license, to other persons and entities.

7. Respondent admits the following facts are true:

- a. Respondent was first licensed as a marriage and family therapist in the State of Utah on or about January 18, 2017.
- b. In October and November 2021, during a therapy session, a client offered to help Respondent move, and Respondent accepted. Using his own truck, the client helped Respondent move her belongings from her home to a storage unit, and from one storage unit to another.
- c. In December 2021, Respondent asked the same client to loan her approximately \$2,000, which the client did. Respondent then asked the client for an additional \$3,000 loan. The client did not loan the additional amount. Respondent paid the loan back.

- d. Respondent did not seek consultation from a colleague, professional association, professional code of ethics, or legal counsel before engaging in the above behavior.
- e. The Division has received statements from three of Respondent's employers that Respondent did not properly create and enter mental health records for her clients.
- f. The Division has received complaints from Respondent's clients stating that Respondent shares too much information about her personal life during therapy sessions.
- g. Although Respondent was in good standing in the Oklahoma when she applied for licensure in the State of Utah, the Division previously disciplined Respondent, in case number DOPL 2017-566, for failing to disclose a former licensing investigation in Oklahoma, in which Respondent accepted a loan from a client.
- h. Respondent desires to surrender Respondent's license to practice as a marriage and family therapist in the State of Utah, along with all residual rights to said license.

8. Respondent admits that Respondent's conduct described above is unprofessional conduct as defined in Utah Code Ann. § 58-1-501(2)(a)(1) and Utah Admin. Code R156-60b-502(5), (13); and that said conduct justifies disciplinary action against Respondent's license pursuant to Utah Code Ann. § 58-1-401(2).

9. Respondent hereby surrenders Respondent's license to practice as a marriage and family therapist in the State of Utah along with all residual rights pertaining to said license. Respondent agrees not to reapply for licensure as a marriage and family therapist in the State of Utah for a period of five years from the effective date of this Stipulation and Order. The Division does not guarantee that any future application by Respondent for licensure will be granted. If the Division Director accepts the terms of this Stipulation and Order, Respondent forfeits all rights to practice as a marriage and family therapist in the State of Utah. Respondent understands that Respondent will not receive any refund of license or renewal fees previously paid to the Division.

10. The effective date of this Stipulation and Order is September 30, 2024.

Respondent shall maintain an active license until September 30, 2024, at which time Respondent's license shall be immediately surrendered and Respondent shall cease practicing as a marriage and family therapist in the State of Utah. Respondent understands that this Stipulation and Order is binding, meaning Respondent may not cancel this agreement after it is signed.

11. Upon approval by the Director of the Division, this Stipulation and Order shall be the final compromise and settlement of this non-criminal administrative matter. Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and Respondent waive any claim of bias or prejudgment they might otherwise have with regard to the Director by virtue of having reviewed this Stipulation, and this waiver shall survive such nullification.

12. This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings, or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe, or affect this Stipulation.

13. If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanctions, in the manner provided by law.

14. Respondent understands that the disciplinary action taken by the Division in this Stipulation and Order may adversely affect any license that Respondent may possess in another state or any application for licensure Respondent may submit in another state.

15. Respondent has read and understands each and every paragraph contained in this Stipulation and Order. Respondent has no questions about any paragraph or provision contained in this Stipulation and Order.

DIVISION OF
PROFESSIONAL LICENSING


JANA JOHANSEN
Bureau Manager

Date: 8/1/24

RESPONDENT

Dana Emmons (signed by counsel with permission)
DANA EMMONS

Date: August 1, 2024

SEAN D. REYES
UTAH ATTORNEY GENERAL


STEPHEN OLER
Counsel for the Division

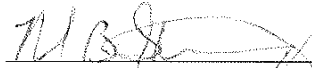
Date: August 1, 2024

ORDER

THE ABOVE STIPULATION, in the matter of **DANA EMMONS**, is hereby approved by the Division of Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann. § 58-1-401(2). The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED August 2, 2024

DIVISION OF PROFESSIONAL
LICENSING



MARK B. STEINAGEL

Division Director

or

DEBORAH BLACKBURN

Assistant Division Director

Investigator: Ben Baker